

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-33 were pending in the application, of which Claims 1, 10, 18, and 26 are independent. In the Office Action dated June 5, 2006, Claims 1-4, 6-12, 14-28, and 30-33 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting, Claims 1, 10, and 26 were objected to, Claims 1-4, 6-12, 14-17, 26-28, and 30-32 were rejected under 35 U.S.C. § 102(b), and Claims 18-25 and 33 were rejected under 35 U.S.C. §103(a). Following this response, Claims 1-4, 6-12, 14-28, and 30-33 remain in this application. Applicants hereby address the Examiner's rejections in turn.

I. Rejection of the Claims Under the Doctrine of Double Patenting

In the Office Action dated June 5, 2006, the Examiner provisionally rejected Claims 1-4, 6-12, 14-28, and 30-33 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-21 of copending U.S. Patent Application No. 10/113,399. The Examiner has stated that a timely filed Terminal Disclaimer in compliance with 37 C.F.R. 1.321(c) may be used to overcome this rejection. Applicants respectfully request that the Examiner hold this rejection in abeyance until allowable subject matter has been indicated.

II. Objection to the Claims

In the Office Action, the Examiner objected to Claims 1, 10, and 26 as containing various informalities. Claims 1, 10, and 26 have been amended to address these

informalities and do not narrow the claimed subject matter. Applicants respectfully submit that the amendment overcomes this objection and adds no new matter.

III. Rejection of the Claims Under 35 U.S.C. § 102(b)

In the Office Action, the Examiner rejected Claims 1-4, 6-12, 14-17, 26-28 and 30-32 and 26-32 under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 5,963,864 (“O’Neil”). Claims 1, 10, and 26 have been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, “a service control point in communication with the switch for: determining, in response to detection of the first terminating trigger by the switch, whether the wired terminal and an associated wireless terminal of the subscriber are available, determining if the calling party number matches the subscriber wireless number, and storing the directory number for the wireless terminal.” Amended Claims 10 and 26 each includes a similar recitation. Support for the amendments can be found in the specification at least on page 15, lines 10-13.

Consistent with embodiments of the invention, a SCP may determine that a service is activated, the SCP may determine whether a calling party number matches a subscriber wireless number (i.e., a directory number for a wireless unit), that may be stored in an SCP database. (See specification, page 15, lines 10-13.) If the numbers match, then SCP may send an authorize_termination message to a CO switch to route the call to the landline telephone without additionally forwarding the call to the

subscriber's wireless telephone unit. (See specification, page 15, lines 13-15.) Because this contingency may correspond to the subscriber calling home from the subscriber's wireless telephone, the need to additionally ring the subscriber's wireless telephone may be obviated. (See specification, page 15, lines 15-19.)

In contrast with the aforementioned recitation from Claim 1, and as stated by the Examiner, *O'Neil* at least does not disclose a service control point for determining if the calling party number matches the subscriber wireless number, and storing the directory number for the wireless terminal. (See Office Action, page 17, lines 7-12.) Because, according to the Examiner, *O'Neil* does not disclose a service control point for determining if the calling party number matches the subscriber wireless number, *O'Neil* does not disclose a service control point for determining, in response to detection of the first terminating trigger by the switch, whether the wired terminal and an associated wireless terminal of the subscriber are available and determining if the calling party number matches the subscriber wireless number.

O'Neil does not anticipate the claimed invention because *O'Neil* at least does not disclose "a service control point in communication with the switch for: determining, in response to detection of the first terminating trigger by the switch, whether the wired terminal and an associated wireless terminal of the subscriber are available, determining if the calling party number matches the subscriber wireless number, and storing the directory number for the wireless terminal," as recited by amended Claim 1. Amended Claims 10 and 26 each includes a similar recitation. Accordingly, independent Claims 1, 10, and 26 each patentably distinguishes the present invention

over the cited art, and Applicants respectfully request withdrawal of this rejection of Claims 1, 10, and 26.

Dependent Claims 2-4, 6-9, 11-12, 14-17, 27-28, and 30-32 are also allowable at least for the reasons described above regarding independent Claims 1, 10, and 26, and by virtue of their respective dependencies upon independent Claims 1, 10, and 26. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2-4, 6-9, 11-12, 14-17, 27-28, and 30-32.

IV. Rejection of the Claims Under 35 U.S.C. § 103(a)

In the Final Office Action, the Examiner rejected Claims 18-25 and 33 under 35 U.S.C. § 103(a) as being unpatentable over *O'Neil* in view of U.S. Pat. No. 6,606,508 ("Becker"). Claim 18 has been amended, and Applicants respectfully submit that the amendment overcomes this rejection and adds no new matter. Support for the amendment can be found in the specification at least on page 15, lines 10-13.

Amended Claim 18 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "programmable determination means for determining, in response to detection of the incoming communication, whether an identifier associated with the calling party is identical to an identifier of the wireless terminal of the subscriber, the wireless terminal being associated with the wired terminal configured to receive the incoming communication from the calling party wherein the wireless terminal and the calling party terminal are the same terminal when the identifier associated with the calling party is identical to the identifier of the wireless terminal, wherein the identifier of the wireless terminal of the subscriber is stored in a service control point."

Consistent with embodiments of the invention, if an SCP determines that a service is activated, the SCP may determine whether a calling party number matches a subscriber wireless number (i.e., a directory number for a wireless unit), that may be stored in an SCP database. (See specification, page 15, lines 10-13.) If the numbers match, then SCP may send an *authorize_termination* message to a CO switch to route the call to the landline telephone without additionally forwarding the call to the subscriber's wireless telephone unit. (See specification, page 15, lines 13-15.) Because this contingency may correspond to the subscriber calling home from the subscriber's wireless telephone, the need to additionally ring the subscriber's wireless telephone may be obviated. (See specification, page 15, lines 15-19.)

In contrast with the aforementioned recitation from Claim 18, and as stated by the Examiner, *O'Neil* at least does not disclose a service control point for determining if the calling party number matches the subscriber wireless number, and storing the directory number for the wireless terminal. (See Office Action, page 17, lines 7-12.) Consequently, *O'Neil* does not disclose aforementioned recitation from Claim 18.

Furthermore, *Becker* does not overcome *O'Neil*'s deficiencies. *Becker* merely discloses placing different numbers in different groups and then associated different ring tones with the different groups. (See FIG. 1 and FIG. 2.) *Becker* is directed to solving the problem of there being no distinction between numbers as regards to call reception. (See col. 1, lines 15-17.) In *Becker*, as a call arrives at a mobile station, a network provides a caller's number. (See col. 2, lines 23-24) The mobile station checks whether the caller's number is included in the group. (See col. 2, lines 24-25) If the caller's number, in *Becker*, belongs to a group, a ringing tone is generated according to the

group. (See col. 2, lines 27-30) If the caller's number does not belong to any group, a standard ringing tone is generated. (See col. 2, lines 30-31) Consequently, because there is no reason for a user to have a distinctive ring tone when the user is calling the user's own number, *Becker* does not disclose including, for example, the user's own wireless terminal number in any of the groups. Accordingly, like *O'Neil*, *Becker* at least does disclose a service control point for determining if the calling party number matches the subscriber wireless number, and storing the directory number for the wireless terminal.

Combining *O'Neil* with *Becker* would not have led to the claimed invention because *O'Neil* and *Becker*, either individually or in combination, at least do not disclose "programmable determination means for determining, in response to detection of the incoming communication, whether an identifier associated with the calling party is identical to an identifier of the wireless terminal of the subscriber, the wireless terminal being associated with the wired terminal configured to receive the incoming communication from the calling party wherein the wireless terminal and the calling party terminal are the same terminal when the identifier associated with the calling party is identical to the identifier of the wireless terminal, wherein the identifier of the wireless terminal of the subscriber is stored in a service control point," as recited by amended Claim 18. Accordingly, independent Claim 18 patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claim 18.

Dependent Claims 19-25 and 33 are also allowable at least for the reasons described above regarding independent Claim 18, and by virtue of their dependency upon independent Claim 18. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 19-25 and 33.

V. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge
any additional required fees to our deposit account 13-2725.

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